

## Expedited Emergency Exemption (Section 18) Request

The Virginia Department of Agriculture and Consumer Services (VDACS) requests a specific emergency exemption under the provisions of section 18 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended, for use of bifenthrin, formulated as the products Brigade WSB (EPA Reg. No. 279-3108); and Bifenture EC (EPA Reg. No. 70506-227) and Bifenture 10DF (EPA Reg. No. 70506-57), on pome and stone fruits to control Brown Marmorated Stink Bug, *Halyomorpha halys* (Stål), and incorporates by reference all information submitted in the previous application dated June 18, 2012.

This is the second year that VDACS has requested this use. VDACS asks that this specific exemption request be processed as eligible for a streamlined repeat request as allowed by 40 CFR 166.20(b)(5).

Also in accordance with the regulations, VDACS hereby certifies the following (if applicable, additional information attached):

1. X The emergency condition(s) described in the previously submitted emergency exemption application continues to exist.
2. X Except as expressly identified in the attached document, all information submitted in the previously submitted emergency exemption application is still accurate.
3. X The proposed conditions of use are identical to the conditions of use EPA approved previously for emergency File Symbol Numbers 12-VA-04 (apple), -05 (peach) & -06 (nectarine), dated: July 20, 2012;
4. X There were no additional conditions or limitations on the eligibility for recertification identified in the previous notice of approval;
5. X The applicant has not newly become aware of any alternative chemical or nonchemical practice that may offer a meaningful level of pest control; *or*
6. X A final or interim report was submitted on February 26, 2013, *or* is attached.